

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

DESIREE WORSHAM,

Plaintiff,

v.

SUNRUN, INC.,

Defendant.

§
§
§
§
§
§
§
§
§

CIVIL ACTION NO. 3:21-cv-00604-C

**DEFENDANT’S UNOPPOSED MOTION TO STAY
JUDICIAL PROCEEDINGS PENDING ARBITRATION**

Defendant Sunrun, Inc. (“**Defendant**”) moves the Court to enter an Order staying the judicial proceedings pending arbitration. In support of this Motion, Defendant states as follows:

1. Plaintiff Desiree Worsham (“**Plaintiff**”) filed her Complaint on March 17, 2021 [Doc. #1], asserting claims for unlawful discrimination and retaliation, and breach of contract for allegedly unpaid commissions, in connection with Plaintiff’s employment with Defendant.

2. Defendant received an extension of time to file a responsive pleading to the Complaint, which is currently due April 23, 2021. [See Doc. #7].

3. Defendant has tendered to Plaintiff certain mutual agreements to binding arbitration of all disputes relating to or arising from the parties’ employment relationship, and confirmation of Plaintiff’s electronic signatures thereto.

4. Plaintiff has reviewed the documents provided by Defendant, and consents to resolving this matter by arbitration.

5. Considering the parties’ mutual agreements to arbitrate the claims at issue in this lawsuit, the above-captioned action should be stayed pending completion of the arbitration process.

WHEREFORE, Defendant Sunrun, Inc. respectfully requests that the Court enter an Order staying this action pending the completion of the arbitration of Plaintiff's claims.

Respectfully Submitted,

/s/ Arthur V. Lambert

Arthur V. Lambert
Texas Bar No. 11841250
Theanna Bezney
Texas Bar No. 24089243
FISHER & PHILLIPS LLP
500 North Akard, Suite 3550
Dallas, TX 75201
Telephone: (214) 220-9100
Facsimile: (214) 220-9122
alambert@fisherphillips.com
tbezney@fisherphillips.com

**ATTORNEYS FOR DEFENDANT
SUNRUN, INC.**

CERTIFICATE OF CONFERENCE

The undersigned certifies that Defendant's counsel, Theanna Bezney, conferred with Plaintiff's counsel, Karen K. Fitzgerald, by email on April 20, 2021, who expressed that she does not oppose the relief sought by this Motion.

/s/ Theanna Bezney

Theanna Bezney

CERTIFICATE OF SERVICE

I hereby certify that on the 22nd day of April, 2021, I electronically filed the foregoing document with the Clerk of Court for the U.S. District Court, Northern District of Texas, using the Electronic Case Filing system of the Court. The ECF system will send a "Notice of Electronic Filing" to all attorneys of record:

Karen K. Fitzgerald
FITZGERALD LAW, PLLC
8150 N. Central Expy, 10th Floor
Dallas TX 75206
karen@fitzgerald.law

/s/ Arthur V. Lambert

Arthur V. Lambert